

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:12-CR-354-1F

UNITED STATES OF AMERICA

v.

MITCHELL BYRON HALES,  
Defendant.

)  
)  
)  
)  
)  
)

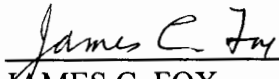
ORDER

This matter is before the court on Hales's Motion to Reconsider Judgment [DE-25]. Hales requests that the court modify his fine amount. On August 7, 2013, the court sentenced Hales to 210 months imprisonment and imposed a \$10,000 fine with interest. Hales's judgment reads, in relevant part, "[t]he Defendant must pay the total criminal monetary penalty . . . Fine, \$10,000 . . . . The special assessment and fine imposed shall be due in full immediately. The fine shall bear interest at the lawfully prescribed rate." Judgment [DE-23] at 5-6.

This court may only modify a judgment in extraordinary circumstances. Fed. R. Crim. Pro. 35; *United States v. Jones*, 238 F.3d 271 (4th Cir. 2001). Counsel does not address Federal Rule of Criminal Procedure 35, nor cite to any other rule, statute, or case law that would allow the court to modify the judgment. Hales's motion [DE-25] is therefore DENIED, without prejudice to renew the request in a properly supported motion.

SO ORDERED.

This, the 21<sup>st</sup> day of August, 2013

  
\_\_\_\_\_  
JAMES C. FOX  
Senior United States District Judge